REMARKS

Status Summary

In this response, no claims have been canceled and no new claims have been added. Therefore, upon entry of this response, claims 1-40 will be pending.

Claim Rejection - 35 U.S.C. § 102

Claims 1-40 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,327,350 to Spangler, et al., hereinafter referred to as "Spangler". This rejection is respectfully traversed.

Claims 1-27

Independent claims 1 and 17 respectively recite a method and a system for dynamic rules-based peg counting. In independent claims 1 and 17, signaling message site collectors generate peg counter instances by comparing monitored signaling messages received by the site collectors to existing peg counter definitions. Each peg counter instance includes an accumulator indicating a number of signaling messages that match one of the existing peg counter definitions and an identifier for identifying the associated peg counter definition. Upon receiving new peg counter definitions, the site collector switches to the new peg counter definitions on the fly and generates peg counter instances based on the new peg counter definitions. Notably, independent claims 1 and 17 recite generating peg counters that count a number of signaling messages received by the site collectors that match predetermined peg counter

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definitions and for dynamically switching to and using new definitions. (Emphasis added.)

There is absolutely no teaching or mention in Spangler of generating peg counters that include counts of received signaling messages or any method for switching to new peg counter definitions on the fly. In fact, Applicants submit that there is no mention of any counting mechanism whatsoever in Spangler. The Examiner states that Spangler (more specifically, the section spanning from column 4, line 35 to column 11, line 38) contains teaching for a method, system, and program for dynamic rules-based peg counting. Applicants respectfully disagree and submit that Spangler only teaches a monitoring device that copies SS7 MSUs from a signaling link and a CDR generator that generates CDRs based on the copied MSUs. As will be explained in more detail below, a CDR is not a peg counter. For example, a CDR is a record containing one or more signaling message parameters. A peg counter as claimed includes an accumulator value indicating a number of signaling messages that match a peg counter definition. Nowhere does Spangler indicate that the CDRs generated by a CDR generator include such an accumulator value. Thus, for this reason alone, the rejection of the claims as anticipated by Spangler should be withdrawn.

The Examiner's attention is directed to the fact that Spangler does not teach the generation of peg counter instances by comparing monitoring signaling messages received by site collectors to existing peg counter definitions. Applicants have defined and claimed peg counters as including accumulators that keep track of the number of signaling messages that match user-specified criteria. For example, peg counters may include accumulators that count the number of signaling messages that originate from a

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particular source and/or that are sent to a particular destination (see specification, page 1, line 17 to page 2, line 3). Applicants submit that <u>Spangler</u> does not mention or teach any method or mechanism that maintains accumulators by comparing signaling messages to predefined definitions. Generating a CDR as disclosed in <u>Spangler</u> involves locating signaling messages relating to the same transaction or call. Counting signaling messages that match user-specified criteria is not part of the CDR generation process.

In claims 1 and 17, the signaling messages with are compared with existing peg counter definitions in an attempt to find a match. <u>Spangler</u> does not teach this type of comparison with existing peg counter definitions, or even mention peg counter definitions for that matter. Although <u>Spangler</u> does mention the comparison of one or more fields from MSU data to a database of active CDRs (see <u>Spangler</u>, column 10, lines 6-8), this type of comparison is used to locate an active CDR for a call so that the incoming MSU can be paired with the active CDR for the call. The purpose of the comparison in <u>Spangler</u> is matching a newly-received message with an existing CDR. No counting is involved in this process.

Applicants also submit that <u>Spangler</u> does not teach the receiving of new peg counter definitions, the switching to new peg counter definitions on the fly, or the generating of peg counter instances based on new peg counter definitions, which are positively claimed in claims 1 and 17. Notably, because <u>Spangler</u> does not teach peg counter definitions, the Applicants submit that <u>Spangler</u> cannot and does not teach switching to <u>new</u> peg counter definitions either.

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For the reasons stated above, Applicants respectfully submit that the teachings of Spangler do not anticipate independent claims 1 and 17, and that these claims fully satisfy the requirements of 35 U.S.C. §102 and are patentable thereunder.

Claims 2-16 and 18-27 depend from claims 1 and 17 and recite additional features thereof. As such and for the same reasons set forth above, Applicants submit that claims 2-16 and 18-27 are also not anticipated by Spangler. Therefore, Applicants submit that these dependent claims fully satisfy the requirements of 35 U.S.C. §102 and are patentable thereunder.

Claims 28-40

Independent claim 28 recites a computer program product that presents a user with a computer based graphical template for defining a peg counter. Independent claim 28 also recites that the peg counter counts signaling messages received by a site collector. The template allows the user to specify parameter values to be extracted from the received signaling messages, values to be compared with the parameter values extracted from the signaling messages, and equations for comparing the extracted parameter values to the specified values. The template further allows the user to input logical operators to combine equations and form a definition for the peg counter.

As stated above, Spangler fails to disclose or teach a peg counter that counts received signaling messages. Rather, Spangler is directed to generation of CDRs and does not mention obtaining counts of any kind. Accordingly, for this reason alone (as

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explained above), the rejection of claim 28 as anticipated by Spangler should be withdrawn.

Moreover, claim 28 recites a graphical user interface that presents a user with a template to receive parameters, equations, and logical operators for defining the peg counter. Spangler does not mention or teach a packaging tool or graphical user interface of any type. Spangler does teach an application interface kit which is capable of receiving commands that instruct the application interface kit to start/stop the transmission of CDRs and/or MSUs or to change the content of CDRs and or MSUs sent to certain applications. However, Spangler teaches the application interface kit is a component that receives instructions from an application (such as a billing application, fraud detection application, etc.) and **not** a user. Notably, Spangler does not state or suggest that the application interface kit has a graphical interface of any kind. Thus, for this additional reason, the rejection of claim 28 as unpatentable over Spangler should be withdrawn.

Claims 29-40 depend from claim 28 and recite additional features thereof. As such and for the exact same reasons set forth above, the Applicants submit that claims 29-40 are also not anticipated by Spangler. Therefore, the Applicants submit that these dependent claims fully satisfy the requirements of 35 U.S.C. §102 and are patentable thereunder.

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CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.
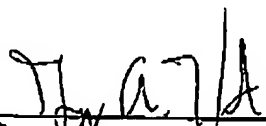
DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge the $120.00 extension of time fee, any deficiencies of payment, or credit any overpayment associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON, TAYLOR & HUNT, P.A.

Date: January 25, 2007   By: _____

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